

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30068 of 2022

Arising Out of PS. Case No.-536 Year-2021 Thana- GOPALPUR District- Bhagalpur

Bablu Mandal Son of Damodar Mandal Resident of- Village- Usarahiya, P.O.-
Tintanga Diyara, P.S.- Rangra, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gopalpur Rangra P.S. Case No. 536 of 2021 lodged under
Sections 30(a) (b) and (c) of the Bihar Prohibition and Excise
Act, 2016.

As per the prosecution case, total recovery of 20 litres
country made wine alleged to be made and 1100 litres of half
prepared country made wine were destroyed.

Learned counsel for the petitioner submits that the
petitioner has not been apprehended from the place of

occurrence and nothing was recovered from his possession. He further submits that petitioner is in custody since 02.01.2022, charge sheet has already been filed in this case. On the point of his criminal antecedent, he submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge-I, Bhagalpur in connection with Gopalpur Rangra P.S. Case No. 536 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 3 cases pending (including present one) against the present petitioner which are as follows:

- i. Naugachia P.S. Case No. 13 of 2020 lodged under Section 30(a) of the Excise Act.
- ii. Gopalpur Rangra P.S. Case NO. 129 of 2021 lodged under Section 30(a) of the Excise Act.
- iii. Gopalpur Rangra P.S. Case No. 536 of 2021 lodged under Sections 30(a) (b) and (c) of the Bihar Prohibition and Excise Act, 2016 (present case).

all cases belongs to same District and Session Division that is Bhagalpur.

The District and Session Judge Bhagalpur is directed to do the needful so that all above mentioned cases be placed before one Special Court with same date.

Let the copy of the order be communicated to District and Session Judge Bhagalpur for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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